

## REMARKS

Reconsideration of the application is respectfully requested.

The following addresses the issues in the order in which they have been raised in the Office Action.

### Election/Restrictions

Of claims 1-28, claims 2-5 and 12-28 are withdrawn from consideration. Claims 1, 6-11 are pending for prosecution.

### Claim Objections

The objection to claim 9 is now moot, as claim 9 has been properly rewritten in accordance with another embodiment of the invention. No new matter has been added, as support for the amended claim language can be found in the specification as filed, for example at paragraph [0032].

### Claim Rejections – 35 U.S.C. §102

Claims 1 and 6-11 stand rejected as being anticipated by U.S. Patent No. 4,115,964 to Montrouil (“Montrouil”). Applicant respectfully disagrees with the rejection, because the Office Action, in particular page 3, in articulating the rejection, does not appear to address the following limitations of claim 1: *a plurality of pieces that are structural components of a primary frame, the pieces being preformed and to be assembled so as to build the frame at a job site*. These limitations should be given patentable weight in that they define how the structural components of the claimed primary frame have been manufactured, prior to their arrival at the job site.

Montrouil points out that the erection of windows, by installing part of the framing members in the opening, and then inserting the glazing product and attaching the glazing stop for retaining the glazing product in the frame, and then inserting sealant between the framing members and the glazing product to seal the window, **all at the job site**, is time-consuming and costly because of the labor involved. Montrouil, col. 1, lines 21-38. Montrouil is directing one of ordinary skill in the art to the more

efficient method of erecting windows in which the windows are factory glazed, that is, the glazing products are glazed in their framing members before being taken to the job site. Once at the job site, they are simply installed over a pre-installed sub-framing member or otherwise fixed in a prepared opening. The invention in Montrouil is related to these types of windows, that is, window frame assemblies that are pre-glazed at the factory. Montrouil, col. 1, lines 31-48. Accordingly, Montrouil teaches away from a window framing system in which the *structural components of a primary frame are pre-formed to be assembled so as to build the frame at a job site*. Accordingly, reconsideration and withdrawal of the rejection of claim 1 is respectfully requested.

In addition to the amendment to claim 9 referenced above, dependent claims 6-8 have also been amended to recite more particular embodiments of the invention, supported in the specification as filed at paragraph [0032]. No new matter has been added. For instance, claim 6 now recites the sub-frame as having an elongated portion with an L-shaped cross-section that defines the corner that receives the glazing unit, wherein *the L-shaped cross-section has a) a first segment in which there are a first plurality of holes through which the sub-frame is to be secured to one of a head, jamb, or sill at the job site*, in addition to the previously recited second segment with a cavity therein. Claim 7 further narrows claim 6 in that the sub-frame has screw holes formed lengthwise in the first segment, *each of the screw holes communicates with an opening that allows material which has been cut, due to a screw being driven in the hole, to exit so as not to fill up the hole*. These limitations may be part of a screw spline system for assembling the primary frame and are particularly effective for meeting certain blast threats. See Applicant's specification as filed, paragraph [0031].

As to claim 8, this claim has been amended to specify that the elongated portion of the base which has an L-shaped cross-section has a first segment that lies against the glazing and a second segment that is to be secured to the sub-frame, wherein *the first and second segments lead into a fillet having a chamfer at its corner*. The fillet and the chamfer increase the strength of the base to better withstand pressure, for example due to a blast attack. See also Applicant's specification, paragraph [0032].

As to claim 10, this claim has been amended to further recite that some of the *second plurality of holes line up directly behind the glazing unit that is installed in the corner, (see Applicant's Fig. 2, anchor fastener 212), and some others of the second plurality of holes line up directly behind corresponding holes in the base through which anchor fasteners are to be passed for securing the sub-frame to the head, jamb, or sill at the job site. (Fig. 2, anchor fastener 216).*

In Montrouil, for attachment to a jamb, there is provided one or more attaching fittings 10 which depending on the application may comprise a lag bolt, screw, nut and bolt or the like. See Montrouil, Fig. 2. The fittings 10, only one of which is shown, are positioned at pre-selected intervals along the length of the framing member. In addition, a U-shaped glazing stop 21 is shown which is attached to section 16 of member 15, by a screw 20. However, Montrouil does not teach or suggest Applicant's claimed mechanism for anchoring the sub-frame, in particular the arrangement of the holes that are formed laterally. In addition, Montrouil does not teach or suggest the arrangement of holes that are formed lengthwise in Applicant's dependent claim 7, where these holes may be used to, for instance, attach a jamb sub-frame to a sill sub-frame or to a head sub-frame.

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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